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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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MOSES HOLLENDER,

Plaintiff,

vs.

EQUIFAX INFORMATION SERVICES, LLC,  
EXPERIAN INFORMATION SOLUTIONS, INC.,  
TRANS UNION, LLC, AMERICAN EXPRESS  
NATIONAL BANK, FIFTH THIRD BANK, N.A.,  
f/k/a MB FINANCIAL BANK,

Defendants.  
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Case No. 1:20-cv-05100-GHW

**STIPULATION TO DISMISS**

**MEMORANDUM ENDORSED**

WHEREAS, defendant American Express National Bank (“American Express”) has demanded that plaintiff Moses Hollender (“Plaintiff”) arbitrate his claim against American Express in accordance with the operative arbitration agreement contained in Plaintiff’s American Express Cardmember Agreement;

WHEREAS, Plaintiff has agreed to submit his claim against American Express to arbitration;

WHEREAS, the parties request a dismissal of this action pending the conclusion of arbitration; and

WHEREAS, the parties request they be provided with 120 days to reopen this action after the issuance of a final award in arbitration;


IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and American Express, through their respective counsel, that: (1) all of Plaintiff’s claims against American Express in this action shall be arbitrated pursuant to the written agreement to arbitrate between Plaintiff and American Express; (2) this matter is dismissed pending the conclusion of arbitration; and (3) the parties shall have 120 days from the issuance of a final award in arbitration to reopen this matter.

Dated: New York, New York

October 21, 2020

STROOCK & STROOCK & LAVAN LLP

By: \_\_\_\_\_

  
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Attorneys for Defendant  
AMERICAN EXPRESS NATIONAL  
BANK

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Dated: New York, New York  
October 21, 2020

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Attorneys for Plaintiff  
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On October 27, 2020, the Court held a conference regarding the terms of this stipulation. The parties stated on the record that they ceded the request in clause three of this stipulation that "the parties shall have 120 days from the issuance of a final award in arbitration to reopen this matter." As a result, the Court does not endorse that provision of this stipulation. The parties have stipulated to the dismissal of this action under Fed. R. Civ. P. 41(a)(1)(A)(ii). The Clerk of Court is directed to close this case.

SO ORDERED.

Dated: October 28, 2020  
New York, New York

  
GREGORY H. WOODS  
United States District Judge